

ACCOMPANYING LABELING: Placards entitled "Skin Disorders or Mycotic Infections?"

LIBELED: 8-22-56, W. Dist. Ky.

CHARGE: 502 (a)—the labeling accompanying the article, while held for sale, contained false and misleading representations that the article was an adequate and effective treatment for skin disorders, varicose ulcers, weeping eczema, psoriasis, alopecia, and eczema.

DISPOSITION: 11-8-56. Default—destruction.

5197. Triangular bandage. (F. D. C. No. 39035. S. No. 40-091 M.)

QUANTITY: 49 ctns., each containing 10 pkgs., at Chicago, Ill.

SHIPPED: 1-26-56, from Worcester, Mass., by Handy Pad Supply Co.

LABEL IN PART: (Pkg.) "40 Inch Triangular Bandage Sterilized Wm. V. MacGill & Co. * * * Can also be used as a sterile compress in the absence of a compress bandage."

LIBELED: 4-17-56, N. Dist. Ill.

CHARGE: 502 (a)—the label statements "Sterilized" and "Can also be used as a sterile compress in the absence of a compress bandage" were false and misleading as applied to the article, which was not sterile.

DISPOSITION: 10-25-56. Default—destruction.

DRUGS FOR VETERINARY USE

5198. Blake's Mineral Compound. (Inj. No. 282.)

COMPLAINT FOR INJUNCTION FILED: 2-9-55, Dist. Colo., against Harvey H. Rosenbaum, t/a Hy-Life Mineral Co., Denver, Colo.; Dencolo Corp., Denver, Colo.; and Christy Mathews, president of the corporation, to enjoin the interstate shipment of the above-mentioned drug, which was misbranded.

ACCOMPANYING LABELING: Circular entitled "For Sheep and Cattle pasturing in green alfalfa and clover meadows feed Blake's Mineral Compound."

RESULTS OF INVESTIGATION: The drug was a red powder which was shipped in 105-lb. bags and 3½-lb. cartons. The main ingredients were ammonium chloride, potassium chlorate, sodium sulfate, calcium carbonate, and tobacco powder. The drug contained also iron oxide and oil of anise.

CHARGE: The complaint charged that the defendants were violating the Act by causing the introduction and delivery for introduction into interstate commerce of the drug, which was misbranded as follows:

502 (a)—the carton label and the accompanying circular contained false and misleading representations that the article was effective for treating and preventing bloat and the effects of poison weeds in sheep and cattle;

502 (a)—the name "Blake's Mineral Compound," the representation that the declared ingredients were active, and the directions for use appearing on the label of the article were false and misleading in that such name and representation suggested that the article furnished essential minerals required by sheep and cattle; whereas, ammonium chloride and sodium sulfate are not required by sheep and cattle, tobacco powder is not a mineral, and when used as directed, the article furnished inconsequential nutritional amounts of potassium chlorate and calcium carbonate.

The complaint alleged also that if the defendants were forced by an injunction to refrain from using the above-mentioned accompanying labeling on interstate shipments of the article, the defendants would not discontinue interstate distribution of the article but would, unless enjoined, continue to ship the article

in interstate commerce without labeling stating the conditions and purposes for which the article was intended; and that, in such case, the article would be misbranded under 502 (f) (1), in that its labeling would fail to bear adequate directions for use because of the omission from such labeling of statements of the conditions and purposes for which the article was intended.

The complaint alleged further that the defendants were well aware that their activities were violative of the Act; that 10 seizures had been made of the article since 1945, 2 of which were contested; and that 3 notices of hearing were issued during 1946 and 1947, based on essentially the same charges of misbranding under 502 (a) as alleged in the complaint.

DISPOSITION: On 7-15-55, with the consent of the defendants, a preliminary injunction was entered. On 6-14-56, the defendants having consented, a decree of permanent injunction was entered enjoining the defendants from causing the introduction and delivery for introduction into interstate commerce of *Blake's Mineral Compound* or any other drug of similar composition which is misbranded as follows:

(a) under 502 (a) by reason of any representation or suggestion in the labeling of such article that the article is effective for treating and preventing bloat or the effects of poison weeds in sheep and cattle, or by reason of any other false or misleading representation or suggestion in the labeling of the article;

(b) under 502 (a) by reason of any representation which suggests or implies that the article furnishes essential minerals required by sheep and cattle; or

(c) under 502 (f) (1) because the labeling of such article fails to state all the conditions and purposes for which the article is intended.

5199. Piperate tablets and powder. (F. D. C. No. 39077. S. Nos. 51-541 M, 51-553/5 M, 51-577 M, 51-579/80 M.)

QUANTITY: 25 100-tablet btls., 3 1,000-tablet btls., 19 4-oz. btls., and 20 1-lb. btls. at Denver, Colo.

SHIPPED: Between 11-29-55 and 4-30-56, from Fort Dodge, Iowa, by Fort Dodge Laboratories, Inc.

LABEL IN PART: (Btl.) "Fort Dodge * * * Piperate Tablets * * *
Each tablet contains: Piperazine Adipate . . . 250 mg." and "Fort Dodge
Piperate Piperazine Adipate Active ingredient: Piperazine Adipate, 100%."

LIBELED: 5-24-56, Dist. Colo.

CHARGE: 502 (a)—the statement on the label of the article (tablets), when shipped, "Indications: For removal of * * * hookworms (*Uncinaria stenocephala*) in dogs" was false and misleading since the article was not effective for the removal of hookworms infesting dogs in this country; and the label of the article (powder), when shipped, contained statements which represented and suggested that the article was an adequate and effective treatment for nodular worms in horses and pinworms and strongyles in swine, cattle, and poultry, which statements were false and misleading since these animals are not subject to such conditions.

DISPOSITION: 9-24-56. Consent—claimed by Fort Dodge Laboratories, Inc., and relabeled.

5200. Pratts In-Tes-Trol. (F. D. C. No. 38990. S. No. 43-953 M.)

QUANTITY: 9 100-lb. drums at Springdale, Ark.

SHIPPED: 3-1-56, from Hammond, Ind., by Pratt Food Co., Inc.